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Attorney Docket: 080437.52447US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANS opplicants: Christopher BANGLE et al.

Serial No.: 10/601,306

Group Art Unit: 3612

Filed: June 23, 2003

Title: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK OF A

MOTOR VEHICLE

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. §1.47(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Attention: Derek L. Woods, Petitions Attorney Office of Petitions

Sir:

This request for reconsideration is filed in response to the decision dated April 28, 2004, and together with a petition for extension of time. Acceptance of the application papers submitted together with the petition filed February 11, 2004, pursuant to 37 C.F.R. §1.47(a), is again respectfully requested.

1. Initially, with respect to the comments set forth in footnote 1 on page 2 of the decision, in order to clarify the record, attached to this request for reconsideration as Exhibit I is a Second Statement of Ralf Frieser. It is clear from Exhibit I that <u>all</u> application papers, rather than only the Declaration and Power of

1

Attorney and Assignment papers, were sent by Mr. Frieser for execution to the non-signing inventor, Anders Warming, on June 25, 2003 and August 25, 2003.

- 2. It is the understanding of the undersigned, pursuant to a telephone conversation with the Petitions Attorney, Mr. Woods, on May 6, 2004, that only item (1) referred to in the first paragraph of the "Applicable Law" portion on page 2 of the decision dated April 28, 2004, is considered lacking. As noted during this conversation, the 24 executed Declaration and Power of Attorney documents filed February 11, 2004, including the signatures of 25 out of the 26 inventors named in the present application, should constitute acceptable declarations, and a statement of the last known address of Anders Warming appears in section 5 on page 1 of the initial Statement of Ralf Frieser filed February 11, 2004.
- 3. Exhibit II attached to this request for reconsideration shows the results of Internet searches for the non-signing inventor, Anders Warming. By recorded message, the undersigned was advised that one of the telephone numbers uncovered by these Internet searches, 818-591-7579, has been disconnected or is no longer in service, and, by an individual answering a call to another telephone number uncovered, 310-589-7052, the undersigned was advised that Anders Warming did not have that other telephone number.
- 4. Exhibit III includes copies of correspondence sent by certified mail, together with all application papers, to Anders Warming at (a) the address shown on the title page of international publication WO 02/051688 A2, which is based on international application PCT/EP01/15203, of which the present U.S. Patent

application is a continuation, and (b) the four most recent addresses uncovered by the Internet searches referred to in section 3 above. As evidenced by the copies of the envelopes also included in Exhibit III, none of the correspondence sent to Anders Warming could be delivered, and all of that correspondence was returned.

It is submitted that the attempts to reach Anders Warming discussed in the initial Statement of Ralf Frieser filed February 11, 2004, in the Second Statement of Ralf Frieser attached hereto as Exhibit I, and in sections 2 and 3 of this request for reconsideration establish that a diligent effort has been made to locate the non-signing inventor. Acceptance of the application papers submitted together with the petition filed February 11, 2004, pursuant to 37 C.F.R. §1.47(a), is in order and is again requested.

July 15, 2004

Richard R. Diefendorf Registration No. 32/390

Respectfully submitted.

CROWELL & MORING LLP P.O. Box 14300

Washington, D.C. 20044-4300 Telephone No.: (202) 624-2500 Facsimile No.: (202) 628-8844

RRD:msy

Attorney Docket: 080437.52447US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicants: Christopher BANGLE et al.

Serial No.: 10/601,306 Group Art Unit: 3612

Filed: June 23, 2003

Title: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK OF A

MOTOR VEHICLE

SECOND STATEMENT OF RALF FRIESER

I, Ralf Frieser, incorporate by reference herein the declarations made in my prior statement executed January 19, 2004, and further declare as follows:

- 1. On June 25, 2003, Declaration and Power of Attorney and Assignment documents were sent for execution, along with a copy of the application data sheet and a copy of the application which has now been assigned the serial number identified above, including 53 pages of specification, with 59 claims and abstract, and 16 sheets of drawings, showing Figures 1-40, to inventor Anders Warming at the offices of DesignworksUSA, the U.S. employer of that inventor and an affiliate of BMW.
- 2. As executed papers were not returned, a further copy of the application and further copies of the application data sheet and the Declaration and Power of Attorney and Assignment documents were sent to Anders Warming at the offices of Designworks USA, together with a reminder of the need for executed papers, on August 25, 2003.

All statements made herein of my own knowledge are true; all statements made herein on information and belief are believed to be true; and further these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

Ralf Trieser

Fune 08, 2004



Standard



Credentialed



[F. How it Works F.] From Print

Library Card

Status: Standard Client ID:

The Ultimate People Finder

Return to Your Summary

D-IMpr Aggeoran

Name:

WARMING ANDERS

Address:

CALABASAS CA 91302

Phone Number: (818) 591-7579

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PERSON LOCATOR - P-SEEK

Name: WARMING, ANDERS (MALE)

Social Security Number: 611-70-XXXX

Consumer Name Last Updated: 9/24/1997

Address:

3279 WOODBLUFF CT THOUSAND OAKS, CA 91362-1153 Address Type: SINGLE FAMILY Address Created: 10/1/1999 Address Updated: 5/4/2001

Previous Addresses:

2855 IRONGATE PL THOUSAND OAKS, CA 91362-5384 Address Type: SINGLE FAMILY Address Created: 5/23/1999 Address Updated: 11/3/1999

26183 1/2 IDLEWILD ST MALIBU, CA 90265-2940 Address Type: SINGLE FAMILY Address Created: 8/25/1997

Address Created: 8/25/1997 Address Updated: 3/11/1998

Birthdate: 1967

On File Since: 8/30/1995

Date Vendor Record Last Updated: 9/24/1997

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PERSON LOCATOR - P-SEEK

Name: WARMING, ANDERS (MALE)

Social Security Number: 000-00-XXXX

Consumer Name Last Updated: 9/29/1999

Address:

1614 FREMONT AVE SOUTH PASADENA, CA 91030-4407 Address Type: SINGLE FAMILY Address Created: 9/29/1999 Address Updated: 9/29/1999

On File Since: 9/29/1999

Date Vendor Record Last Updated: 9/29/1999

3 of 13 DOCUMENTS

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PERSON LOCATOR - P-SRCH

Name: WARMING, ANDERS

Social Security Number: 611-70-XXXX

Address:

2855 IRONGATE PL THOUSAND OAKS, CA 91362 Address Created: 5/1999

Previous Addresses:

26183 IDLEWILD WAY MALIBU, CA 90265 Address Created: 1/1999

Birthdate: 9/1972

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PERSON LOCATOR - P-SRCH

Name: WARMING, ANDERS

Address:

1614 FREMONT AVE

SOUTH PASADENA, CA 91030 Address Created: 11/2000

5 of 13 DOCUMENTS

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PERSON LOCATOR - P-FIND

Name: WARMING, ANDERS (MALE)

Consumer Name Last Updated: 12/28/2002

Address:

CANOGA PARK, CA 91304-0000

Telephone: (818) 591-7579

Date Vendor Record Last Updated: 2/19/2004

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PERSON LOCATOR - P-TRAK

Name: WARMING, ANDERS

Address:

1614 FREMONT AVENUE SOUTH PASADENA, CA 91030-4407 Address Updated: 8/1/1999 On File Since: 9/1/1999

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PERSON LOCATOR - P-TRAK

Name: WARMING, ANDERS

Social Security Number: 611-70-XXXX

Address:

2855 IRONGATE PLACE THOUSAND OAKS, CA 91362-5384 Address Updated: 4/1/1999

Previous Addresses:

26183 IDLEWILD WAY APT. 2 MALIBU, CA 90265-2940 Address Updated: 8/1/1997

1063 MONTAUK LANE VENTURA, CA 93001-3865 Address Updated: 11/13/2000

On File Since: 8/1/1997

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PERSON LOCATOR - P-CNSR

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Name: WARMING, ANDERS (MALE)

Address:

3279 WOODBLUFF CT

WARMING, ANDERS (MALE)

THOUSAND OAKS, CA 91362-1153

County: VENTURA Latitude: 34.22 Longitude:-118.83

Address Type: HOUSE NUMBER & STREET NAME

Address Created: 1999

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Name: WARMING, ANDERS (MALE)

Address:

1614 FREMONT AVE S PASADENA, CA 91030-4407 County: LOS ANGELES

Latitude: 34.10 Longitude:-118.15

Address Type: HOUSE NUMBER & STREET NAME

Address Created: 1999

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PERSON LOCATOR - P-CNSR

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Name: WARMING, ANDERS (MALE)

Address:

MALIBU, CA 90265 County: LOS ANGELES Latitude: 34.03 Longitude:-118.74

Address Type: NO ADDRESS

WARMING, ANDERS (MALE)

Address Created: 2001

Telephone: (310) 589-7052

Telephone Type: VOICE LINE

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Name: WARMING, ANDERS (MALE)

Address:

166 NOE ST # D SAN FRANCISCO, CA 94114-1244 County: SAN FRANCISCO

Latitude: 37.76 Longitude:-122.43

Address Type: HOUSE NUMBER & STREET NAME

Address Created: 2001

Previous Addresses:

166 NOE ST SAN FRANCISCO, CA 94114-1244 County: SAN FRANCISCO

Latitude: 37.76 Longitude:-122.43

Address Type: HOUSE NUMBER & STREET NAME

Address Created: 2001

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PERSON LOCATOR - P-CNSR

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Name: WARMING, ANDERS (MALE)

Address:

MALIBU, CA 90265 County: LOS ANGELES Latitude: 34.03 Longitude:-118.74

Address Type: NO ADDRESS Address Created: 1998

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PERSON LOCATOR - P-CNSR

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Name: WARMING, ANDERS (MALE)

Address:

CALABASAS, CA 91302 County: LOS ANGELES Latitude: 34.14 Longitude:-118.65

Address Type: NO ADDRESS Address Created: 2002

Previous Addresses:

CALABASAS, CA 91302 County: LOS ANGELES Latitude: 34.13 Longitude:-118.65

Address Type: NO ADDRESS Address Created: 2002

Telephone: (818) 591-7579

Telephone Type: VOICE LINE



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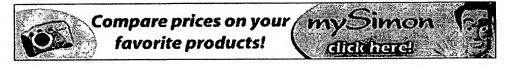


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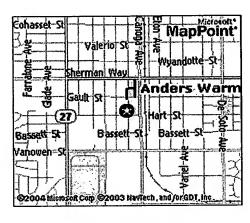
More Info

Anders Warming

street address not available Canoga Park, CA 91303-0000 Home: (818) 591 - 7579

Save to My Directory
Driving Directions
Update or Remove this listing

Listing first published: 01-DEC-02 Listing last updated: 01-AUG-03 Map accuracy: Low



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ANDERS WARMING

CALABASAS CA 91302 Neighborhood Data: (818)5917579

(ANDERS WARMING) Public Records Search!

Avg. home value: \$669,388 First Year at Address: 1993 Avg. Age: 35

▶ More Info Available on ANDERS WARMING

Find old high school friend "ANDERS WARMING" at

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Listing Details for: Anders Warming

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Anders Warming Canoga Park, CA 91303 Add to Outlook 818-591-7579 Update/Remove Send Listing to a Friend

- * Anders Warming's 20-YEAR PERSONAL HISTORY! Click Here.
- Search for your School Friend Anders Warming at Reunion.com

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First

Anders

Last

Warming

(Required)

Last Known State 🔯

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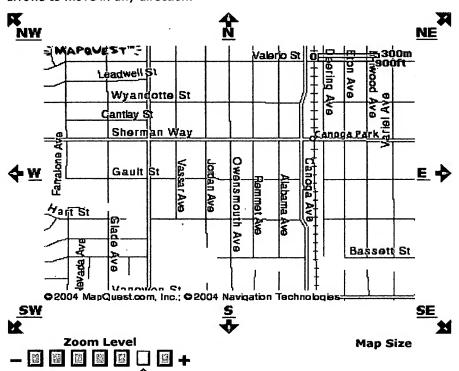
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Public Records Matches for: Anders Warming

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Number of matches

ANDERS WARMING

6

A WARMING

10

WARMING

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ANDERS

Too Many. Click Here to Sort by Age, City or State.

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Feature Article - Design to Reality: the Z4 Roadster - 12/02

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A heart-warming Christmas story (Anders Jacobsen's blog)

... tis the season of heart-warming stories and ... Referrers to this page. TrackBack URL for this entry: http://www.jacobsen.no/cgi-sys/cgiwrap/anders/MT/mt-tb.cgi/663. ... www.jacobsen.no/anders/blog/archives/2003/ 12/11/a_heartwarming_christmas_story.html - 15k - May 9, 2004 - Cached - Similar pages

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Arspris

... Modtageren af Designrådets Erik Herløw Rejselegat 2003, industriel designer Anders Warming, Modtageren af Designrådets Erik Herløw Rejselegat 2003 ... www.ddc.dk/Pressecenter/press/pressreleases/ aarspris_foto.html - 11k - Cached - Similar pages

MSN Autos - News and Advice Article

... Anders Warming, the designer responsible the Z4's exterior styling. advertisement. The Z4 is 100 percent stiffer than the Z3 it replaces. ... autos.msn.com/ advice/article.aspx?contentid=4021463&src=News - 41k - Cached - Similar pages

HC02

... who is already Mr. Anal about his car, backing up with direction from an organizer, being careful not to hit any cars, or to hit Anders Warming, designer of ... www.waycoolinc.com/z3/02/hc02/hc0207.html - 6k - Cached - Similar pages

BMW World - BMW Z4 Roadster Design

... The Evolution of the BMW Z4. Growing up, Anders Warming of Denmark always wanted to design cars. Little did he know then the Z4 would be one of his creations. ... www.bmwworld.com/models/z4/anders_warming.htm - 8k - Cached - Similar pages

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... Waaben, Knud Waage, Niels Wad, Ditlev Walbom, Allan **Warming**-Rasmussen, Bent ... Lars Zahle, Henrik Øe, Henrik Øregaard, Thurid Ørgaard, **Anders** Ørgaard, Niels ... www.thomson.dk/ pls/pdb/katpage.forfatterlist?p_forfatter_id=20695 - 62k - May 9, 2004 - <u>Cached</u> - Similar pages

Body-changing massagepraktijk te Assen. Het adres voor een ...

... dan niet op en neer; vermijd te zware aërobe inspanningen; doe aan een warming-up en ... uit wat bij u past; ga trainen met anderen en doe regelmatig iets anders. ... www.body-changing.nl/beweging.html - 17k - Cached - Similar pages

Ollerup Efterskole 's guestbook

... Glæder mig til ROSKILDE!!!!! Entered by: Anders Warming (02-03) d. 28/4 - 2004 kl. ... Til Anders Warming Godt at høre fra dig .Det er flot, det du beskriver. ... www.zip.dk/gaeste/bog.php3?id=4788 - 22k - Cached - Similar pages

Forbes.com - Magazine Article

... Trust us, you should. Click below and get the full report. Design | Interior | Performance | Prices. An early **Anders Warming** sketch of the **Z4**. Design. ... www.forbes.com/2002/11/04/cx_mf_1104feat_print.html - 27k - Cached - Similar pages

Roundel Article

... design. Anders Warming's Saturday-night talk revolved around the progressive thinking behind BMW's flame-surfaced designs. As principal ... www.bmwcca.org/Roundel/2003/06/Article 2.shtml - 25k - Cached - Similar pages

Anders Michelsen

Anders Michelsen Associate Professor ... Mineralization and distribution of nutrients in four arctic ecosystems: responses to warming. Plant and Soil 242, 93-106. ... www.bi.ku.dk/staff/staff-vip-details.asp?ID=23 - 19k - May 9, 2004 - Cached - Similar pages

Car Reviews: Review of 2003 BMW Z4

... The gauges are now in front of the driver, and recessed in cans," notes Z4 exterior designer **Anders Warming**, who said the design was not meant to de-emphasize ... www.bullz-eye.com/carreviews/2003/bmw_z4.htm - 28k - <u>Cached</u> - <u>Similar pages</u>

FuturePundit: Will Sun Cooling And Oil Depletion Prevent Global ...

... then there is not enough oil to burn to cause the more pessimistic global warming scenarios to play out in reality. But geologists Anders Sivertsson, Kjell ... www.futurepundit.com/archives/001694.html - 23k - Cached - Similar pages

Kalender

... 23. februar 2004, Vinderklasse på Sjælland/Haslev, Engelske racer, Niels Erik Krüger, Frede Nielsen **Anders Warming**. Mandag d. 22. ... www.dansk-kennel-klub.dk/kunder%5Cdkk%5Cdkkweb.nsf/ 0/B0CEC7E4750DAF10C12569670034DE93? OpenDocument - 11k - May 10, 2004 - <u>Cached</u> - <u>Similar pages</u>

Per Warming

... Bjørn Lomborg Lægens Bord Morten Løkkegaard **Anders** Lund Madsen **Anders** og Peter Lund ... Arne Würgler Børge Wagner Niels Birger Wamberg Per **Warming** Jason Watt ... www.foredragsholdere.dk/Warming%20Per.htm - 45k - <u>Cached</u> - <u>Similar pages</u>

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... Idræt. 2.B og 4.B, Samsøgades Skole 1997 **Anders Warming** Anna Marie H. Jensen Beldata Birgit Trier Frederiksen Dansk Orienterings-Forbund Helle Rønholt Henrik ... www.laer-it.dk/credits.htm - 13k - <u>Cached</u> - <u>Similar pages</u>

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... The lines of the car are the result of the fertile imagination of a young Dutch designer,

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maandag 10 maart 2003. **Warming** up - nog 9 dagen. ... 08:32 waar en hoelaat ? 11:16 ??? 12:02 enthousiast zooitje hiero; 12:04 je kan er zelf **anders** ook wat van! ... www.watmoetje**anders**.nl/archive/899/ - 14k - <u>Cached</u> - <u>Similar pages</u>

Motor Trend: 2003 BMW Z4

While its edgy **Anders Warming**-penned bodywork will be a love-it-or-hate-it notion, getting behind the wheel elicits a broad grin. April 28, 2004. ... www.motortrend.com/roadtests/coupe/112_0301_z4/ - 46k - Cached - Similar pages

Automotive Design & Production - Field Guide to the Automotive series of cars rolling off the assembly line. BMW's Anders Warming is one of the few who have had that experience. Frasher's Odyssey, ... www.autofieldguide.com/issues/1202.html - 14k - May 10, 2004 - Cached - Similar pages [More results from www.autofieldguide.com]

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Classics.com - Concours on Rodeo 2002

... Among this years' judges were Chad McQueen, Bill Packard, Ken Gross, Roland Heiler from Porsche Design, **Anders Warming** from BMW Design, Gerhard Steinle - the ... www.classics.com/rod02.html - 22k - Cached - Similar pages

New Z4 roadster bolder than Bond - 11/27/02

... This car is not easy to build," says California-based Z4 exterior designer Anders Warming, referring to "tailored surfaces," high-quality materials and ... www.detnews.com/2002/autosconsumer/ 0211/29/g01-21202.htm - 32k - Cached - Similar pages

Automotive Industries: 2003 BMW Z4. (Cars Worth Noting). ...

... road. This is where you can clearly see the twisting planes Z4 exterior designer Anders Warming designed into the vehicle. He says ... www.findarticles.com/cf_dls/m3012/ 11_182/95614091/p1/article.jhtml - 11k - Cached - Similar pages [More results from www.findarticles.com]

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... 786 58 82 Fax: +46-(0)90-786 90 92 E-mail:anders.fries@genfys ... Institute (EFI), Joensuu, Finland Project: The influence of a prognosticated global warming on the ... www.genfys.slu.se/staff/fria/cv.htm - 5k - Cached - Similar pages

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... spændende biler. Efter Henrik Fisker (BMW Z8 og Aston Martin DB9) og Anders Warming (BMW Z4) er det nu Christian Brandts tur. Alfa Romeo ... www.bilmagasinet.dk/ nyheder/default.asp?mode=1&id=2464 - 37k - Cached - Similar pages

Car Reviews 2003 BMW Z4

... As for BMW's styling stance, Z4 exterior designer **Anders Warming** said at a Z4 media preview in South Carolina, "BMW has a long tradition of making roadsters. ... www.car-auto-insurance-quotes-4u.com/ ArticlesP3/2003-BMW-Z4.htm - 29k - <u>Cached</u> - <u>Similar pages</u>

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... Den kan varmt anbefales!!! Friday den 12. December 2003 kl. 09:59 - Anders Warming. Der er godt spark i Ryan Adams's nye album! Det er noget fedt Rock N' Roll! ... ny.musik.dk/1698 - 26k - Cached - Similar pages

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... Motor Show. Responsible of the exterior design, Dane **Anders Warming** tells us: "I am very found of the car with its sleek lines. We ... www.sportscartesting.com/news/none/id453/pg1946 - 23k - <u>Cached</u> - <u>Similar pages</u>

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... Daar ben ik niet zo'n voorstander van, maar warming-up is wat anders dan rekken en strekken.' Ton Verheij, huisarts te Arnhem die verdienstelijke jonge ... www.dehardloopkrant.com/rekstrek.php - 19k - Cached - Similar pages

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Forum MTB-SPORT.NL: Warming Up: Kellerwald

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... Vasco de Kinkelder, crosser: Mijn warming up (WU) is als volgt. ... Omdat het toch vaak vriest ben je zo weer afgekoeld. Maar ja het is niet anders. ... members.chello.nl/~tc.verheij/Warming-up.doc - Similar pages

TechFest West 2003 - 2003 Events - Boston Chapter BMW CCA

... will feature a banquet dinner with a keynote address by Mr. Anders Warming, the "flame surfaced" exterior designer of the new Z4, from BMW's design department. ... www.boston-bmwcca.org/events/2003/553.asp - 9k - Cached - Similar pages

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... Funded by CIRC. **Anders** and Janne sampling a subarctic lake. ... Jonsson, A. 1999. Lakes in the subarctic north of Sweden – clues to the effect of climate **warming**. ... www.eg.umu.se/natgeo/Staff/anders_jonsson.htm - 18k - <u>Cached</u> - <u>Similar pages</u>

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... in the near-surface permafrost but, under a **warming** scenario, could ... Søren Rysgaard, Torben Vang, Michael Stjernholm, Bjarke Rasmussen, **Anders** Windelin, and ... instaar.colorado.edu/AAAR/volume35/35-3abs.html - 27k - May 10, 2004 - <u>Cached</u> - <u>Similar pages</u>

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... een rigoreus wetenschappelijk bewijs dat de vaste binnenkern van onze planeet nooit kleiner of lichter kan zijn dan een bepaald minimum, anders is het niet ... sci-e-research.com/geophysics dut.html - 13k - Cached - Similar pages

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... Vraag: Over iets heel **anders** - kunt u iets vertellen over de **warming** upoefeningen die worden gebruikt in de Hombu Dojo. Is er een standaardaanpak? Sensei: Nee. ... www.aikikai.nl/okumura2.html - 23k - <u>Cached</u> - <u>Similar pages</u>

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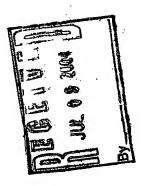
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Mr. Anders Warming 3939 Latigo Canyon Road Malibu, CA 91320

RE: U.S. PATENT APPLICATION SERIAL NO.: 10/601,306

INVENTORS: CHRISTOPHER BANGLE ET AL.

TITLE: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK

OF A MOTOR VEHICLE

BMW REF: AJ-31/PP 10064931 US; OUR REF: 080437.52447US

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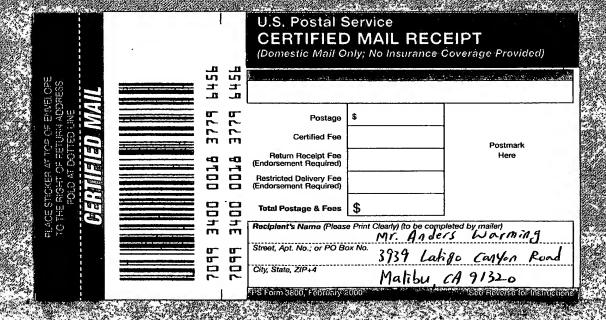
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Mr. Anders Warming 3279 Woodbluff Ct. Thousand Oaks, CA 91362-1153

RE:

U.S. PATENT APPLICATION SERIAL NO.: 10/601,306

INVENTORS: CHRISTOPHER BANGLE ET AL.

TITLE: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK

OF A MOTOR VEHICLE

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Very truly fores,

Richard H. Dietendorf

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cc: Donald D. Evenson, Esq.

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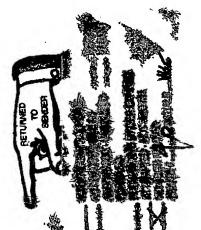
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Mr. Anders Warming 166 Noe Street, # D San Francisco, CA 94114-1244

RE:

U.S. PATENT APPLICATION SERIAL NO.: 10/601,306

INVENTORS: CHRISTOPHER BANGLE ET AL.

TITLE: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK

OF A MOTOR VEHICLE

BMW REF: AJ-31/PP 10064931 US; OUR REF: 080437.52447US

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cc: Donald D. Evenson, Esq.

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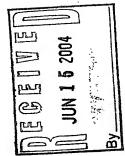
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Mr. Anders Warming Calabasas CA 91302

RE:

U.S. PATENT APPLICATION SERIAL NO.: 10/601,306

INVENTORS: CHRISTOPHER BANGLE ET AL.

TITLE: FLAT SECTION OF THE OUTER SKIN OF THE BODYWORK

OF A MOTOR VEHICLE

BMW REF: AJ-31/PP 10064931 US; OUR REF: 080437.52447US

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Mr. Anders Warming Canoga Park CA 91303

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